

OCT 07 2004

RCE 8FW

PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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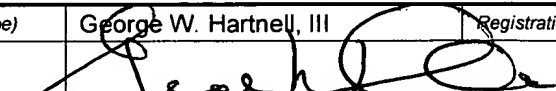
<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	09/937,796-Conf. #7040
	<b>Filing Date</b>	January 28, 2002
	<b>First Named Inventor</b>	Mitsuhiro Koden, et al.
	<b>Art Unit</b>	2872
	<b>Examiner Name</b>	A. C. Lavarias
	<b>Attorney Docket Number</b>	56,520-RCE (70904)

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to a design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other Interview Request Form (Form PTOL-413A)
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 790.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

<b>Name (Print/Type)</b>	George W. Hartnell, III	<b>Registration No. (Attorney/Agent)</b>	42,639
<b>Signature</b>			<b>Date</b>
			October 5, 2004

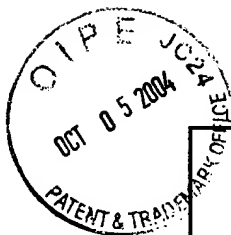
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV438995268 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 5, 2004

Signature: 

(Lakeisha Bryant)



FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/937,796-Conf. #7040
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	January 28, 2002
790.00		First Named Inventor	Mitsuhiro Koden, et al.
		Examiner Name	A. C. Lavarias
		Art Unit	2872
		Attorney Docket No.	56,520-RCE (70904)
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input type="checkbox"/> Deposit Account: Deposit Account Number: 04-1105 Deposit Account Name: Edwards & Angell, LLP		Large Entity Small Entity	
The Director is authorized to: (check all that apply)		Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid	
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051 130 2051 65 Surcharge - late filing fee or oath	
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053 130 1053 130 Non-English specification	
FEE CALCULATION		1812 2,520 1812 2,520 For filing a request for ex parte reexamination	
1. BASIC FILING FEE		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
Large Entity Small Entity		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
Fee Code Fee (\$)	Fee Code Fee (\$)	1251 110 2251 55 Extension for reply within first month	
1001 770 2001 385	Utility filing fee	1252 420 2252 210 Extension for reply within second month	
1002 340 2002 170	Design filing fee	1253 950 2253 475 Extension for reply within third month	
1003 530 2003 265	Plant filing fee	1254 1,480 2254 740 Extension for reply within fourth month	
1004 770 2004 385	Reissue filing fee	1255 2,010 2255 1,005 Extension for reply within fifth month	
1005 160 2005 80	Provisional filing fee	1401 330 2401 165 Notice of Appeal	
SUBTOTAL (1) (\$) 0.00		1402 330 2402 165 Filing a brief in support of an appeal	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1403 290 2403 145 Request for oral hearing	
Total Claims <input type="text"/> ** = <input type="text"/> Extra Claims Fee from below Fee Paid		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
Independent Claims <input type="text"/> ** = <input type="text"/> x <input type="text"/> = <input type="text"/>		1452 110 2452 55 Petition to revive - unavoidable	
Multiple Dependent <input type="text"/> = <input type="text"/>		1453 1,330 2453 665 Petition to revive - unintentional	
Large Entity Small Entity		1501 1,330 2501 665 Utility issue fee (or reissue)	
Fee Code Fee (\$)	Fee Code Fee (\$)	1502 480 2502 240 Design issue fee	
1202 18 2202 9	Claims in excess of 20	1503 640 2503 320 Plant issue fee	
1201 86 2201 43	Independent claims in excess of 3	1460 130 1460 130 Petitions to the Commissioner	
1203 290 2203 145	Multiple dependent claim, if not paid	1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
1204 86 2204 43	** Reissue independent claims over original patent	1806 180 1806 180 Submission of Information Disclosure Stmt	
1205 18 2205 9	** Reissue claims in excess of 20 and over original patent	8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
SUBTOTAL (2) (\$) 0.00		1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
**or number previously paid, if greater; For Reissues, see above		1810 770 2810 385 For each additional invention to be examined (37CFR 1.129(b))	
		1801 770 2801 385 Request for Continued Examination (RCE) 790.00	
		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify) <input type="text"/>	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 790.00	
SUBMITTED BY		(Complete (if applicable))	
Name (Print/Type)	George W. Hartnell, III	Registration No. (Attorney/Agent)	42,639
Signature		Telephone	(617) 517-5552
		Date	October 5, 2004

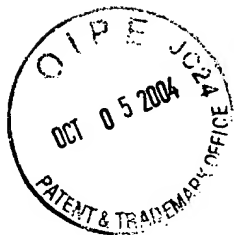
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Dated: October 5, 2004

Signature: 

(Lakeisha Bryant)



Attorney Docket No. 56,520 (70904)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: M. Kodon, et al.

Confirmation No.: 7040

U.S.S.N. 09/937,796

Art Unit: 2872

FILED: January 28, 2002

Examiner: Lavarias, A.

FOR: OPTICAL CONTROL DEVICE AND METHOD OF DRIVING THE SAME

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**PRELIMINARY AMENDMENT**

Please preliminarily amend the subject application as follows before calculating the filing fee therefor:

The Applicants believe that no extension of time is required since this response is being filed before expiration of the specified time period. The Applicants, however, conditionally petition for an extension of time to provide for the possibility that such a petition has been inadvertently overlooked and is required. As provided below, charge Deposit Account **04-1105** for any required fee.

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